

IN RE WELLS FARGO & COMPANY
SHAREHOLDER DERIVATIVE
LITIGATION

Lead Case No. 3:16-cv-05541-JST

**STIPULATION AND [PROPOSED]
ORDER MODIFYING DEADLINES
REGARDING ANTICIPATED
MOTION FOR PRELIMINARY
APPROVAL OF SETTLEMENT
AGREEMENT**

The Honorable Jon. S. Tigar

1 WHEREAS, on January 16, 2019, the parties in the above-captioned action (the “Parties”)
 2 filed a Joint Case Management Statement & Notice of Settlement, notifying the Court that the
 3 Parties had reached an agreement in principle to settle the action and were finalizing the terms of
 4 a settlement agreement, and requested that the Court set a briefing and hearing schedule on
 5 Plaintiffs’ anticipated motion for preliminary approval of the forthcoming settlement agreement
 6 and set aside all other dates in the action (Dkt. No. 266);

7 WHEREAS, on January 21, 2019, the Court set the following deadlines requested by the
 8 Parties relating to Plaintiffs’ motion for preliminary approval of the settlement agreement and
 9 vacated all other deadlines in the action (Dkt. No. 267):

Event	Deadline
Deadline to file motion for preliminary approval of settlement agreement	February 14, 2019
Deadline to file opposition to motion for preliminary approval	February 28, 2019
Deadline to file reply to any opposition to motion for preliminary approval	March 7, 2019
Hearing on motion for preliminary approval	March 21, 2019, at 2:00 p.m. Courtroom, 19th Floor

17 WHEREAS, the Parties have continued to work diligently with the assistance of Hon.
 18 Daniel Weinstein (Ret.) to finalize the terms of the settlement agreement, but are still working to
 19 resolve certain issues related to the anticipated settlement agreement;

20 WHEREAS, given the large number of parties and the complexity of the issues involved,
 21 the Parties agree that they require additional time to complete negotiations in order to finalize the
 22 anticipated settlement agreement, and therefore agree that extending the deadlines relating to
 23 Plaintiffs’ anticipated motion for preliminary approval of the settlement agreement will assist in
 24 facilitating resolution of the action;¹

25 ¹ The Parties have not previously sought to modify the deadlines relating to Plaintiffs’ anticipated
 26 motion for preliminary approval, but previously have sought and been granted the following time
 27 modifications by the Court: (i) on January 23, 2017 (Dkt. No. 78) the Parties requested to
 28 continue a case management conference; (ii) on October 13, 2017 and November 10, 2017 the
 Parties filed stipulations concerning the deadline to answer the complaint in this action (Dkt. No.
 175; 182); (iii) on August 23, 2018, Plaintiffs requested to vacate a deadline regarding the

1 WHEREAS, because all deadlines in this action have been vacated, save for those relating
 2 to Plaintiffs' anticipated motion for preliminary approval of the settlement agreement, the time
 3 modifications requested by the Parties below will not affect the schedule for the case except as set
 4 forth below.

5 NOW THEREFORE, IT IS HEREBY STIPULATED AND AGREED, between the
 6 Parties, by and through their Counsel, and subject to the Court's approval, that the deadlines
 7 relating to Plaintiffs' anticipated motion for preliminary approval of the settlement agreement be
 8 modified as follows:

9 Event	10 Previous Deadline	11 New Deadline
10 Deadline to file motion for 11 preliminary approval of 12 settlement agreement	11 February 14, 2019	12 February 28, 2019
12 Deadline to file opposition to 13 motion for preliminary 14 approval	13 February 28, 2019	14 March 14, 2019
14 Deadline to file reply to any 15 opposition to motion for 16 preliminary approval	15 March 7, 2019	16 March 21, 2019
16 Hearing on motion for 17 preliminary approval	17 March 21, 2019, at 2:00 p.m. 18 Courtroom, 19th Floor	19 April 4, 2019, at 2:00 p.m. 20 Courtroom, 19th Floor

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 27 submission of a joint discovery letter brief and to continue the deadline to submit a proposal
 28 regarding the case schedule, and on October 9, 2018, pursuant to the Court's August 24, 2018
 29 Order (Dkt. No. 247), the Parties proposed changes to the schedule in this action (Dkt. No. 255);
 30 and (iv) on January 21, 2019, the Court vacated the case management conference scheduled for
 31 January 23, 2019 (Dkt. No. 267).

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2 Dated: February 13, 2019

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ATTESTATION PURSUANT TO GENERAL ORDER 45

I, Brendan P. Cullen, in compliance with General Order 45, Section X(B), hereby
attest that I obtained the concurrence of all of the above-listed counsel in filing this document.

DATED: February 13, 2019

/s/ Brendan P. Cullen

ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: _____

THE HON. JON S. TIGAR
UNITED STATES DISTRICT JUDGE